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Hostettler Amendment to Commerce, Justice, State, Judiciary Appropriations Act

Statement of HON. RON PAUL OF TEXAS

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Mr. Chairman, I thank the gentleman from Indiana (Mr. **Hostettler**) for bringing this very important amendment to the floor.

There is a lot of emphasis around here on the first amendment, and rightfully so. We should defend it. There is a lot of neglect on the second amendment, but there are a lot of Americans that believe that the second amendment is equally as important as the first amendment. So I congratulate the gentleman.

Mr. Chairman, I rise in strong support of the Hostettler amendment. The Founding Fathers fought to break away from a tyrannical government. Part of the problem was that the King of England was making laws without any accountability. When they set up this Government, they saw the dire need to have several checks and balances, thus creating the three-fold system of Government: the executive branch, the judicial branch, and the legislative branch.

It is this legislative branch that is responsible for making laws and the judicial branch for interpreting them, period.

A serious act of misconduct on the administration occurred when the Smith & Wesson agreement was settled. The executive branch acted as the legislative branch when they bypassed Congress through 22 pages of litigation. The egregious agreement will require all authorized Smith & Wesson dealers to limit handgun sales to one handgun every 14 days regardless of make, require all authorized Smith & Wesson dealers to require customers to pass a certified test before completing a sale of any firearm, mandate that the BATF participate on an oversight commission created by the settlement agreement, and does not allow unaccompanied minors into areas where firearms are present.

It seems now that the administration sees fit, acting on no authority given it by the Constitution, to dictate to a company who they can sell their products to and in what manner their product can be sold. This forces law-abiding citizens to jump through Government-ordained hoops before they exercise their rights to purchase as many firearms as they choose and to purchase them whenever they choose.

The BATF, which has never been known for its fair treatment of gun owners, will play an integral part on the oversight commission of gun owners by the agreement.

- The BATF will require all employees of dealers to attend annual training courses. In these training courses, the BATF gives the final say as to what can be taught and what will be excluded. Each employee must also complete an examination of which its contents will be closely reviewed by the oversight commission and make its own changes as it sees fit. In essence, they are acting as the 'thought-control' police. This sounds very Orwellian to me and far from what Patrick Henry had in mind when he said, 'The great objective is that every man be armed . . . Everyone who is able may have a gun.'

- Let us not forget past calamities against U.S. citizens from over zealous federal agents in

trying to enforce unconstitutional gun laws. Again, too much power is being given to these unconstitutional agencies and even worse, it is being done without the consent of Congress. Members of the House, you must remember the oath that you swore to uphold and not relinquish your authority any longer. By what authority does the administration set up this new commission, what check will be placed on this agency in making their new regulations that will affect all Americans without giving them a chance to vote or have a say in these changes. Why should we hand over our authority to another branch of the government and then let it take more freedoms away from our citizens?

- These requirements have been voted on in the past in the House and Senate and thus far have not passed either house. It is all too clear that the agenda of the Clinton Administration has always been anti-second amendment, and thus, they have found a way to implement their policies by forcing a gun manufacturer to comply regardless of their legal legitimacy. The Federal government and executive branch have no business--and have no authority--to mandate how a company runs its business.

- Let us not allow our authority to be usurped from us any longer. Please stop the funding for this anti-constitutional settlement and vote for the Hostettler Amendment and support H.R. 2655, the Separation of Powers Restoration Act.

I strongly support this amendment. I compliment the gentleman from Indiana (Mr. **Hostettler**) for bringing this to the floor, and I hope that we can pass this overwhelmingly.